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SUBJECT: Third Aceh CoSPA Meeting Delves into Details

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¶1. (SBU) Summary. The third meeting of the Committee on Sustaining Peace in Aceh (CoSPA) was held in Banda Aceh on April 16, 2008. Issues discussed included security in Aceh, progress on establishing a Truth and Reconciliation Commission, and the status of a Human Rights Court to try cases from the conflict. End Summary.

The CoSPA

¶2. (SBU) The Committee on Sustaining Peace in Aceh, or CoSPA, was formed in early 2008 and has held monthly meetings starting in February of 2008. The Committee is designed to bring together stakeholders in the peace process and create a forum to discuss the parts of the 2005 Helsinki MOU yet to be implemented and also discuss any threats to the peace process including the security situation. Core CoSPA members include representatives of the national government in the form of the Forum for Communication and Coordination (FKK) lead by General Amiruddin Usman and reporting to the Ministry of Politics and Security, GAM movement representatives, the Aceh provincial government, the Indonesian military, the National Police, and international observers from the United States and the EU. While GAM members associated with Governor Irwandi Yusuf have been supportive of the CoSPA, the official GAM organization continues to boycott the process.

¶3. (SBU) The CoSPA meeting held on April 16 focused on recent violence against GAM/KPA members, the establishment of a Truth and Reconciliation Commission for Aceh, and progress on establishing a Human Rights Court for Aceh to try cases from the conflict. Vice Governor Muhammad Nazar represented the Aceh Provincial Government. The FKK delegation was lead by Zainal Arifin. The main spokesmen for GAM were Munawar Liza (now Mayor of Sabang) and Nur Djuli (head of the BRA or Aceh Reintegration Body), both Helsinki MOU negotiators.

GAM Wary of Security Response to Violence

¶4. (SBU) GAM and FKK representatives discussed a joint site visit in the wake of the Atu Lintang case from March, 2008 (reftel) that resulted in the killings of five KPA personnel in a local KPA office near the city of Takengon in Central Aceh Regency. GAM representatives pointed out that the local police station was located only 50 meters from the KPA office where the killings took place. GAM also disavowed rumors of KPA recruitment in the area that

may have stirred up the locals. FKK representatives accepted the request to follow up with local police on behalf of GAM and to provide future details as per their investigation into the incident.

Slow Going on Truth and Reconciliation Commission

15. (SBU) CoSPA technical staff presented the current status of a Truth and Reconciliation Commission. The continuing challenge in establishing the KKR remains that the national parliament has yet to pass enabling legislation consistent with the Indonesian constitution, stymieing any local efforts in Aceh. The December, 2006 Constitutional Court ruling striking down previous legislation on a KKR remains the main stumbling block. Aceh Vice Governor Nazar and Aceh Parliament Head H. Sayed Faud Zakaria spoke privately about the importance of keeping the provincial legislative process for the KKR on track. Both GAM and FKK representatives emphasized that it is premature for any local initiatives to establish an Aceh-only KKR and stressed the need for any local action to follow new national enabling legislation.

Legal Obstacles to Human Rights Court Remain

16. (SBU) CoSPA meeting participants also agreed that before being able to establish a Human Rights Court in or for Aceh, the Ministry of Law and Human Rights should ask the Indonesian Supreme Court for a legal clarification that would allow the establishment of a Human Rights Court in Aceh that would remain within the jurisdiction of the Human Rights Court in Medan. GAM representatives repeatedly stressed that they had no objection to the Medan Human Rights Court's retaining jurisdiction in the Aceh cases or trying said cases in Medan rather than in Banda Aceh. They added that the question of a Human Rights Court "in" Aceh, as distinct from "for"

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Aceh, a point FKK delegation head Zainal Arifin had raised due to conflicting language between the Helsinki MOU and current Indonesian law, was not an issue for GAM.

CoSPA Process Still in Infancy

17. (SBU) The CoSPA's third meeting represents a step forward in institutionalizing the peace process among stakeholders in Aceh. It has also demonstrated its value in defusing tension after the Atu Lintang killings (reftel) by providing a forum for joint action to ease suspicions. The CoSPA is still impaired by the boycott of the GAM faction not supportive of Governor Irwandi Yusuf, a decision based in large part on internal conflicts among senior GAM members. While the adjutant of Aceh military commander Major General Supiadin AS was present at the meeting, representatives from the National Police, who had attended earlier CoSPA meetings, were absent on April 16. The CoSPA process also remains threatened by competing attempts by NGOs in Aceh to create a duplicate forum for discussing the outstanding items from the Helsinki MOU. The presence of the Vice Governor, a judge from Aceh's High Court, and the head of the Provincial Legislature were, however, encouraging signs of acceptance of the CoSPA among many of Aceh's decision makers.

HUME